

REMARKS

SUMMARY OF THE OFFICIAL ACTION

Claims 1-7 and 9-21 are pending in the application. In the Official Action dated April 9, 2008, claims 1-7, 9, 10-12 and 13-15 have been rejected under 35 U.S.C. § 101; claims 16-17 and 20-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FURLONG et al. (US 2003/0028621) in view of PESSI et al. (US 2004/0083291 A1); claims 1-4, 6, 9-11, 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FURLONG et al. in view of PESSI et al.; claims 5 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FURLONG et al. in view of PESSI et al., and further in view of LILLIE et al. (US 2004/0131042 A1); claims 12, 15 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FURLONG et al. in view of PESSI et al., and further in view of LEI et al. (US 2004/0203664 A1). Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over FURLONG et al. in view of PESSI et al., and further in view of HIRI et al. (US 7,123,707 B1).

35 U.S.C. § 101

The Official Action asserts that “Claims 1-7, 9; 10-12; and 13-15 are directed to statutory matter as a machine that is embodied between client devices and server devices” and that “Claims 16-21 are directed to the statutory category of a process in which the steps of the invention are performed.” Applicants appreciate the Examiner’s acknowledgement that claims 1-7, 9, 10-12 and 13-21 are directed to statutory matter or a statutory category.

THE REJECTION OF CLAIMS 16-17 AND 30-21 UNDER 35 U.S.C. § 103

Claims 16-17 and 20-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FURLONG et al. in view of PESSI et al. Claim 16 has been amended to recite that in addition to making a “session request” the session initiator is provided with the ability to include “preferred session parameters”. Accordingly, before the session is initiated or rejected in accordance with the “preferred treatment” dictated by the other telecommunications user, the session initiator is able to communicate the “preferred session parameters” which may have an effect on whether the other telecommunications user decides to reject the telecommunications session. Applicants respectfully submit that providing the session initiator with the ability to include the claimed “preferred session parameters” is not taught, shown or suggested by FURLONG et al. or PESSI et al. Accordingly, because FURLONG et al. and PESSI et al. are deficient in this respect, Applicants respectfully submit that no proper combination of FURLONG et al. and PESSI et al. would render independent claim 16 and its dependent claims 20-21 unpatentable.

THE REJECTION OF CLAIMS 1-4, 6, 9-11, 13 AND 14 UNDER 35 U.S.C. § 103

Claims 1-4, 6, 9-11 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FURLONG et al. in view of PESSI et al.

Claims 10 and 11 have been canceled and the rejection of claims 10 and 11 is thus moot.

Independent claim 1 has been amended to recite that, in addition to the session initiator making a “session request”, the system includes “service logic” for requesting “session parameters” from the session initiator, thereby providing the session initiator with the ability to

include “session parameters”. As explained above, before the session is initiated or rejected in accordance with the “preferred treatment” dictated by the session terminator, the session initiator can communicate the “session parameters” which may have an effect on whether the session terminator decides to reject the telecommunications session. Applicants respectfully submit that providing the session initiator with the ability to include the claimed “session parameters” is not taught, shown or suggested by FURLONG et al. or PESSI et al. Accordingly, because FURLONG et al. and PESSI et al. are deficient in this respect, Applicants respectfully submit that no proper combination of FURLONG et al. and PESSI et al. would render independent claim 1 and its dependent claims 2-4, 6, and 9 unpatentable.

Independent claim 13 has been amended to recite that, in addition to a mobile device making a “session request”, the system includes “a requestor” for requesting “preferred session parameters” from the mobile device, thereby providing the mobile device with the ability to include “preferred session parameters”. As explained above, before the session is initiated or rejected in accordance with the “preferred treatment” dictated by the session terminator, the mobile device can communicate the “preferred session parameters” which may have an effect on whether the session terminator decides to reject the telecommunications session. Applicants respectfully submit that providing the mobile device with the ability to include the claimed “preferred session parameters” is not taught, shown or suggested by FURLONG et al. or PESSI et al. Accordingly, because FURLONG et al. and PESSI et al. are deficient in this respect, Applicants respectfully submit that no proper combination of FURLONG et al. in view of PESSI et al. would render independent claim 13 and its dependent claims 14 and 15 unpatentable.

THE REJECTION OF DEPENDENT CLAIMS 5 AND 7 UNDER 35 U.S.C. § 103

Claims 5 and 7 depend either directly or indirectly from amended claim 1, which Applicants respectfully submit is now in condition for allowance. Accordingly, Applicants believe that claims 5 and 7 are in condition for allowance for at least the same reasons as claim 1, as well as for their additional recitations.

THE REJECTION OF CLAIMS 12, 15 AND 19 UNDER 35 U.S.C. § 103

Claims 12 has been canceled and the rejection of claim 12 is thus moot.

Claims 15 and 19 depend either directly or indirectly from amended claims 13 or 16, which Applicants respectfully submit are now in condition for allowance. Accordingly, Applicants believe that claims 15 and 19 are in condition for allowance for at least the same reasons as independent claims 13 or 16, as well as for their additional recitations.

THE REJECTION OF CLAIM 18 UNDER 35 U.S.C. § 103

Claim 18 depends directly from amended claim 16, which Applicants respectfully submit is now in condition for allowance. Accordingly, Applicants believe that claim 18 is in condition for allowance for at least the same reasons as claim 16, as well as for its additional recitations.

NEW CLAIMS 21-24

Applicants respectfully submit that new claims 21-24 are patentable over the prior art which fails to disclose that a session can be initiated solely on a presence identity of the session terminator. In other, words a session can be initiated without a telephone number or other possibly identity revealing information of the session terminator or other telecommunications

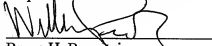
user. Accordingly, Applicants submit that claims 21-24 are in condition for allowance for at least the same reasons as the independent claims from which they depend, as well as for their additional recitations.

CONCLUSION

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

If there are any questions concerning this Brief or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully Submitted,
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